

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6398**

**BILL NUMBER:** SB 324

**NOTE PREPARED:** Feb 2, 2010

**BILL AMENDED:** Feb 1, 2010

**SUBJECT:** Explanation of Proposed Constitutional Amendments.

**FIRST AUTHOR:** Sen. Dillon

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill requires the Legislative Services Agency to prepare a neutral summary of any proposed state constitutional amendment and to submit the proposed summary to the Legislative Council for approval not later than 105 days before the election at which the public question concerning a proposed constitutional amendment will be voted on. It provides that, if the Legislative Council does not approve a proposed summary in a timely manner, the summary as submitted to the Legislative Council shall be distributed and posted.

The bill requires the Legislative Services Agency, not later than 60 days before the election at which the proposed amendment will be submitted to the voters, to distribute copies of the summary to various entities and to post the summary on the General Assembly's Internet web site. It requires the posting of a copy of the summary at each polling place. It provides that, subject to the Legislative Council's approval, the Legislative Services Agency has absolute discretion to determine the contents of the summary. It specifies that these provisions do not apply to a proposed constitutional amendment if an act enacted by the General Assembly in the 2010 legislative session specifies the ballot language for the proposed constitutional amendment. The bill also prohibits the bringing of an action based on the exercise of this discretion.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** The Legislative Council, LSA, and Election Division would be able to carry out these additional responsibilities within existing resources and staff.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** County election boards would need to forward copies of amendment summaries to precinct inspectors. It is likely county election boards would be able to accomplish this provision with existing resources and staff.

**Explanation of Local Revenues:**

**State Agencies Affected:** LSA, Legislative Council; Election Division.

**Local Agencies Affected:** County election boards.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.